

FPS - 024

**DATE: October 19, 2007**

## UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

**No. 07-3511**

Lora-Pena v. FBI  
(D. Del. No. 06-cv-00442)

To: Clerk

1) Application to Proceed In Forma Pauperis

The foregoing motion to proceed in forma pauperis is granted. Appellant is a prisoner and seeks to proceed in forma pauperis on appeal. Appellant is required to pay the full \$455.00 fee in installments regardless of the outcome of the appeal. The Court hereby directs the warden or his or her designee to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the six month period immediately preceding the filing of the notice of appeal. The warden, or his or her designee, shall calculate, collect, and forward the initial payment assessed in this order to the United States District Court for the District of Delaware. In each succeeding month when the amount in the prisoner's account exceeds \$10.00, the warden, or his or her designee, shall forward payments to the United States District Court for the District of Delaware equaling 20% of the preceding month's income credited to the prisoner's account until the fees are paid. Each payment shall reference the appellate docket number for this appeal. The appeal will be submitted to a panel of this court for determination under 28 U.S.C. § 1915(e)(2) or for summary action under Third Circuit L.A.R. 27.4 and I.O.P. 10.6.

Should the appellant file any future applications for leave to proceed in forma pauperis in this Court, the application must be accompanied by an addendum to affidavit in support of motion to proceed in forma pauperis and an authorization for the withdrawal of funds.

For the Court,

/s/Marcia M. Waldron  
Clerk



Dated: December 13, 2007

ARL/cc: NLP; SMB

OFFICE OF THE CLERK

MARCI M. WALDRON

CLERK

UNITED STATES COURT OF APPEALS

TELEPHONE

215-597-2995

FOR THE THIRD CIRCUIT  
21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790  
Website: [www.ca3.uscourts.gov](http://www.ca3.uscourts.gov)

December 13, 2007

ATTENTION: WARDEN  
Canaan USP  
P.O. Box 300  
Waymart, PA 18472

**Re: Docket No. 07-3511  
Lora-Pena v. FBI  
District Court No. 06-cv-00442  
Prisoner I.D. No. and Full Name: Nelson Lora-Pena #03883-070**

Dear Warden:

Enclosed herewith is a certified copy of an Order filed today directing the Warden to forward the initial payment assessed to the Clerk of the District Court.

Your check should be mailed to the Clerk of the District Court at the following address:

Peter T. Dalleo, Clerk  
United States District Court  
for the District of Delaware  
J. Caleb Boggs Federal Building  
Lockbox 18  
844 King Street  
Wilmington, DE 19801-3570

Please do not send the check or money order to The United States Court of Appeals.

Very truly yours,  
MARCIA M. WALDRON  
Clerk

By: s/ Aina R. Laws, Case Manager

cc: Mr. Lora-Pena  
Peter T. Dalleo, Clerk